

DATE 5/9/18
LOCATION Plano
JUDGE Kimberly C. Priest Johnson
DEPUTY CLERK Toya McEwen
COURT REPORTER: Digital Recording
INTERPRETER: _____
BEGIN 11:23am

CASE NUMBER 4:18-cr-43 ALM/KPJ
USA Andrew Stover Assigned
VS Andrew Stover Appeared
FRANK CACOPARDO
Defendant
Jerry Biesel, RET
Attorney

FILED
MAY - 9 2018
Clerk, U.S. District Court
Texas Eastern

- ☐ PLEA TO INFORMATION, Initial Appearance and Arraignment held on Indictment
☒ INITIAL APPEARANCE AND PLEA TO INFORMATION ☐ WAIVER OF INDICTMENT SIGNED

☒ CASE CALLED ☒ DEFENDANT SWORN ☐ Hearing held by Interpreter: _____

☒ Defendant appears with counsel Jerry Biesel

INITIAL APPEARANCE

- ☒ Dft ☒ advised of charges ☒ advised of maximum penalties ☐ advised of right to remain silent;
☐ advised of right to counsel ☒ received copy of information

PLEA TO INFORMATION

☒ Defendant to plea guilty to Count (s) One (1) of the Information.

☒ Defendant signed Waiver and Consent to Administration of Guilty Plea by United States Magistrate Judge.

☒ Dft signed Waiver of Indictment. ☐ Dft signed Waiver of Venue ☐ Dft signed Waiver of Statute of Limitations

☒ Court found defendant competent for change of plea hearing.

☒ Defendant advised of Constitutional rights. ☒ Defendant acknowledged understanding Constitutional rights.

☒ AUSA stated essential elements to be proven

☒ Defendant acknowledged understanding the essential elements and Defendant acknowledged having committed the elements.

☒ Court ☐ AUSA stated maximum range of penalty.

☒ Defendant acknowledged satisfaction with representation of counsel

☒ Court reviewed rights regarding a plea of guilty and right to appeal.

☒ Reviewed Plea agreement with defendant.

☒ Reviewed ☒ Factual Basis ☐ Statement of Facts with defendant.

☒ AUSA and Defendant acknowledged factual basis has been established.

☐ Consent, Waiver of Indictment, Plea Agreement (under seal), Factual Basis, and Addendum (under seal) entered into the record.

☐ Defendant is not a citizen of the United States ☐ Defendant is not a legal permanent resident.

☐ Court advised defendant of deportation possibilities. ☐ Defendant acknowledged understanding deportation possibility.

☐ Forfeiture provision explained to Defendant ☐ Defendant acknowledged understanding forfeiture provision.

☐ Court advised defendant of requirement to register as sex offender. ☐ Defendant acknowledged understanding registration requirement.

☒ Defendant entered plea of guilty to Count One of the Information

☒ Court will recommend district court accept plea of guilty

☒ Court finds plea is voluntary, knowledgeable and that it has a basis in fact.

☐ Defendant remanded to custody of U.S. Marshal.

☒ Defendant placed on Conditions of Release PR Bond

☐ Defendant to remain on Conditions of Release based on extraordinary circumstances per the AUSA.

☒ Recess 11:39am

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Court recessed. _____